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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/716,985	11/19/2003	Paul B. Fisher	34592-C-PCT-US-A 070050.2

21003
 BAKER & BOTTS
 30 ROCKEFELLER PLAZA
 NEW YORK, NY 10112



CONFIRMATION NO. 8990
FORMALITIES LETTER



OC000000012008467

Date Mailed: 03/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Ruoqian Shen
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 13A,15C,15D.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the

"Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Y.G.
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BAKER BOTTS LLP

 Please type a plus sign (+) inside this box → **+**


TRANSMITTAL FORM

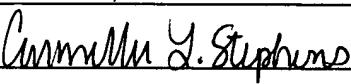
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number 10/716,985 Filing Date November 19, 2003 First Named Inventor Fisher Group Art Unit 1634 Examiner Name To Be Assigned Attorney Docket Number A34592-C-PCT-USA-A (070050.2496)
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ENCLOSURES (check all that apply)

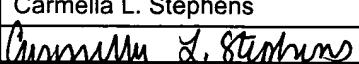
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Sequence Listing (paper copy); Sequence Listing Declaration; Letter requesting use of previously-filed computer readable form of Sequence Listing; Return Receipt Postcard
Remarks <input type="checkbox"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112		
Signature	 Att Name: Carmella L. Stephens PTO Reg: 41,328		
Date	August 27, 2004		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date: August 27, 2004

Typed or printed name	Carmella L. Stephens		
Signature			
Date	August 27, 2004		

BAKER BOTTS LLP

Attorney Docket Number: A34592-C-PCT-USA-A (070050.2496)

Title: DEVELOPMENT OF DNA PROBES AND IMMUNOLOGICAL REAGENTS SPECIFIC FOR CELL SURFACE-EXPRESSED MOLECULES AND TRANSFORMATION-ASSOCIATED GENES

Use Space Below for Additional Information:

BAKER BOTTS LLP

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**1,480**

Complete if Known

Application Number	10/716,985
Filing Date	November 19, 2003
First Named Inventor	Fisher
Examiner Name	To Be Assigned
Art Unit	1634
Attorney Docket No.	A34592-C-PCT-USA-A (070050.2496)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number
Deposit Account Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee required under 37CFR 1.16 and 1.17

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$) 0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
11	2		- 20 = 0	x 0 = 0	0
			- 3 = 0	x 0 = 0	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$) 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	1,480
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			0

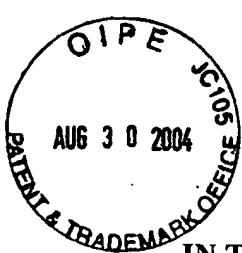
*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\$)** 1,480

(Complete if applicable)

Name (Print/Type)	Carmella L. Stephens	Registration No. (Attorney/Agent)	41,328	Telephone (212) 408-2539
Signature	<i>Carmella L. Stephens</i>		Date	August 27, 2004





Atty. Docket No. A34592-C-PCT-USA-A (070050.2496)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fisher *et al.*
Serial No. : 10/716,985 Examiner : To Be Assigned
Filed : November 19, 2003 Group Art Unit: 1634
For : DEVELOPMENT OF DNA PROBES AND IMMUNOLOGICAL
 REAGENTS SPECIFIC FOR CELL SURFACE-EXPRESSED
 MOLECULES AND TRANSFORMATION-ASSOCIATED GENES

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION UNDER 37 C.F.R. 1.53(b)**

I hereby certify that this paper is being deposited on August 27, 2004, with the
United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.

Carmella L. Stephens
Attorney's Name

41,328
Registration No.

Carmella L. Stephens
Signature

August 27, 2004
Date of Signature

Mail Stop **MISSING PARTS**
Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Notice to File Missing Parts dated March 2, 2004. The Notice indicates that the oath or declaration for the above-identified application was missing. The Notice further indicates that the application was informal because it lacked formal drawings and failed to comply with the requirements of 37 C.F.R. §§1.821-1.825. Applicants herein respond, in part, to this Notice by submitting formal drawings in compliance with 37 C.F.R. §§ 1.84 and 1.121, and a paper copy of a Sequence Listing, along with an Amendment directing its entry into the application and a letter requesting the use of the computer readable copy of the Sequence Listing filed on June 15, 2001, in parent application USSN 08/875,553,

Atty. Docket No. A34592-C-PCT-USA-A (070050.2496)
PATENT

filed on May 26, 1998. Applicants also request a four-month extension of time, through September 2, 2004, for responding to the Notice. A copy of the Notice to File Missing Parts is also enclosed.

REMARKS

This paper is being filed in response to the Notice of Missing Parts dated March 2, 2004. The Notice indicates that the oath or declaration for the above-identified application was missing, and that an oath or declaration surcharge of \$130.00 as set forth for a non-small entity under 37 C.F.R. § 1.16(e) was due, along with an executed copy of an oath or declaration, to avoid abandonment of the application. The Notice further indicates that replacement drawings in compliance with 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121 are required, as are paper and computer readable copies of a Sequence Listing, a statement that the contents of the paper and computer readable versions of the Sequence Listing are the same, and an amendment directing the entry of the Sequence Listing into the application.

In response to this Notice, Applicants submit herewith twenty-eight (28) sheets of formal drawings in compliance with 37 C.F.R. §§ 1.84 and 1.121. Applicants further submit a letter requesting that the Sequence Listing filed on June 15, 2001, in parent application USSN 08/875,553 be used in connection with the above-identified application, as permitted under 37 C.F.R. § 1.821(e). Applicants do not submit, at this time, an executed copy of a Combined Declaration and Power of Attorney document, because Applicants' attorneys have not yet received an executed declaration from inventor Shen. Applicants will either submit a declaration fully executed by both named inventors prior to the final deadline of October 2, 2004, or submit a declaration executed by inventor Fisher along with a petition for acceptance of this declaration on behalf of himself and the non-signing inventor.

Applicants believe a fee of \$1,480 for a four-month extension of time for a non-small entity is required for this submission. Should any additional fee be due or overpayment made in

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connection with the submission of this paper, the Commissioner is hereby authorized to charge such fees or credit the overpayment to Deposit Account No. 02-4377. A duplicate copy of this communication is enclosed.

Respectfully submitted,

Carmella L. Stephens
Lisa B. Kole
Patent Office Reg. No. 35,225

Carmella L. Stephens
Patent Office Reg. No. 41,328

Attorneys for Applicants
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(212) 408-2539

Encl.